

JS-6

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

HENRY PEREZ; JACOB SOLARZANO,	)	Case No.: 5:23-cv-02214-JVS-KK
Plaintiffs,)	
vs.	)	ORDER DISMISSING FEDERAL
CITY OF SAN BERNARDINO; a	)	CLAIM AND REMANDING
Governmental entity; SAN	)	MATTER BACK TO STATE
BERNARDINO POLICE	)	COURT [10]
DEPARTMENT, a governmental	)	<i>[Stipulation submitted Concurrently</i>
Entity; AUSTIN SHANK; EDGAR	)	<i>Herewith]</i>
CHAVEZ; LANIER ROGERS; DOE SAN	)	TRIAL DATE: None Set
BERNARDINO POLICE OFFICERS 1 to)	
25; and DOES 26 to 50 inclusive.)	
Defendants.	)	Matter for Determination by the
	)	Honorable James V. Selna

Upon consideration of the parties' stipulation, it is hereby ordered as follows:

1. Plaintiffs' claims under 42 U.S.C. § 1983, for excessive force under the Fourth Amendment to the United States Constitution, is hereby dismissed with prejudice. Accordingly, no federal questions remain and there is no basis for supplemental jurisdiction over the remaining state law claims;

1 2. This matter is remanded back to the Superior Court of California,
2 County of San Bernardino for further proceedings; and

3 3. Each party shall bear their own fees and costs with respect to the
4 removal and subsequent remand of this matter, and that Defendants shall not claim
5 costs or fees as a prevailing party on the Federal Claim.

6
7 **IT IS SO ORDERED.**

8
9 Dated: January 02, 2024

By



Honorable James V. Selna
United States District Judge